

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
GREGORY WEISS, *on behalf of himself and the class*, :

Plaintiff, :

20-CV-8090 (JMF)

-v- :

ORDER

STARR RESTAURANT ORGANIZATION, LP, et al., :

Defendants. :

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JESSE M. FURMAN, United States District Judge:


In light of Defendants Havatequila Restaurant Partners, LLC; Ery North Tower RHC Tenant LLC; Dr. Howard Dr. Fine, LLC; Moe Larry Cheese, LLC; Morimoto NY Venture, L.P.; Train Design, LLC; Sur Organization, LLC; 26th Street Restaurant, LLC; SRHG West, LLC; and Stephen Starr's (the "Moving Defendants") new motion to dismiss, *see* ECF No. 23, the Moving Defendants' earlier motion to dismiss filed at ECF No. 18 is hereby DENIED as moot. Plaintiff's opposition to the new motion to dismiss is due by **January 26, 2021**. The Moving Defendants' reply, if any, is due by **February 2, 2021**.

As Defendants note in their motion and the answer filed by Starr Restaurant Organization, LP and Buddakan NY, L.P., Defendants Allan Domb, David Robkin, and Jennifer Robkin, despite being named as Defendants in the original complaint, ECF No. 1-1, are not named as such in the amended complaint, ECF No. 21. *See* ECF No. 22, at 1 n.1; ECF No. 24, at 1 n.1.

The Clerk of Court is directed to terminate ECF No. 18 and to terminate Allan Domb, David Robkin, and Jennifer Robkin as defendants in this case.

SO ORDERED.

Dated: January 13, 2021
New York, New York



JESSE M. FURMAN
United States District Judge